



ERIN+GREEN+COMITE

By reason of the automatic stay, the
September 9, 2020 conference is
VACATED.
SO ORDERED.
Dated: 9/2/2020

+ Via ECF +

September 2, 2020

Honorable P. Kevin Castel
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Courtroom 11D
New York, NY 10007-1312



P. Kevin Castel
United States District Judge

Re: *Arkansas Federal Credit Union v. Hudson's Bay Co.*, No. 1:19-cv-04492 (PKC)
[Related to No. 1:18-cv-08472 (PKC)]

Dear Judge Castel:

I represent Plaintiffs Arkansas Federal Credit Union and The Summit Federal Credit Union (“Financial Institution Plaintiffs”) in the above-referenced action. On behalf of all parties in the financial institutions action captioned above, I write to update the Court on the status of the settlement between the Financial Institution Plaintiffs and Defendants. On July 23, 2020, we reported that the parties reached an agreement-in-principle that will resolve the financial institution actions on a Class-wide basis. *See* ECF Nos. 72-73. Since that time, the parties have continued to negotiate the parameters of the agreement in order to reduce it to writing in a Settlement Agreement, which will be submitted to the Court for approval.

By docket entry dated April 24, 2020, the Court set a telephonic status conference in this matter for September 9, 2020. The parties request that the Court adjourn the September 9 status conference until after October 5, 2020, at a date and time convenient for the Court, for two reasons. First, in the interest of efficiency and judicial economy, adjourning this status conference would afford the parties additional time to negotiate the parameters of the Settlement Agreement and relieve the Court having to preside over a status conference in a matter that has been settled-in-principle. Second, on August 5, 2020, a Notice of Suggestion of Pendency of Bankruptcy for Defendant Lord & Taylor, LLC and Notice of Automatic Stay of Proceedings was filed. *See* ECF No. 75. The parties presently intend to petition the Bankruptcy Court to lift this stay and proceed with settlement. But at this time, holding a status conference may be problematic in light of the automatic bankruptcy stay.

Thank you for your attention to this matter.

Respectfully submitted,
SCOTT+SCOTT ATTORNEYS AT LAW LLP
/s/ Erin Green Comite
Erin Green Comite

Cc: All Counsel of Record (via ECF)